

REMARKS

The specification has been amended to correct a typographical error and provides antecedent basis for claimed subject matter. All of the amendments are fully supported by the original disclosure of this application and therefore do not constitute the introduction of any new matter into this case.

The specification is objected to because the claimed subject matter is not clearly stated in the specification. Accordingly, the specification has been amended to provide proper antecedent basis for the claims. No new matter has been entered.

The Examiner has required submission of a replacement sheet containing the formal corrections to Figures 1a and 1b, the corrections for which were submitted in the amendment and response of January 14, 2004. In view of the attached replacement sheet, withdrawal of this objections is requested.

The amendments are proposed pursuant to Rule 116 to place the application fully in condition for allowance or to place the application in better form for appeal in the event the Examiner denies entry of the amendments. Entry of the proposed amendments, which will not require a new search or consideration of new issues is respectfully requested. It is believed that the amendments do not raise substantive issues that were not previously considered by the Examiner.

Claims 1-11 remain pending in the application.

Claim Rejections under 35 U.S.C. § 103

Claims 1-11 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. 5,364,269 (Willits et al.). Applicants respectfully traverses this rejection.

Applicants most respectfully wish to direct the Examiner's attention to the basic requirements of a prima facie case of obviousness as set forth in the MPEP. MPEP § 2143 states that to establish a prima facie case of obviousness, three basic criteria

must be met. First there must be some suggestion or motivation, either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the teachings of the reference. Second, there must be a reasonable expectation of success for the modification. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Initially, the four embodiments of the claimed invention are shown in Figures 1-4 of the application. The embodiments shown in Figures 1 and 2 are directed to upper partial dentures, and the embodiments illustrated in Figures 3 and 4 are directed to lower partial dentures.

With regard to claim 1, the limitation, “the linguoplate extends from near one end of the arch to near another end of the arch” is directed to the embodiments shown in Figures 1 and 2, specifically the upper partial denture. The linguoplate defined in claims 1 and 5 emphasizes the fact that the claimed upper partial denture can be attached securely to the upper dental arch of a patient without using a bar, strap or plate connecting both sides of the conventional upper partial denture. The Examiner is directed to the shortcomings of conventional upper partial dentures on page 1, lines 16-26 of the specification. It is further noted that the lower partial dentures illustrated in Figures 3 and 4 of the application cannot be attached to the upper dental arch because the “linguoplate extends from near one end of the arch to near another end of the arch”.

In contrast to the claimed subject matter of independent claim 1, the partial dentures of Willits et al. do not have the limitation of “the linguoplate extends from near one end of the arch to near another end of the arch”. As illustrated in Figures 1-4 and column 3, lines 11-57 of Willits et al., the metal filler plate 30 is bonded, or otherwise integrally molded with a relatively hard acrylic material, and the relatively hard acrylic material forms the buccal flange, lingual flange and the ridges of the partial denture.

Serial No.: 10/035,124
Group Art Unit: 3732
Examiner: Todd E. MANAHAN

Further, the partial dentures of Willits et al. are directed to only lower partial dentures, which cannot be used as an upper partial denture, because they cannot be attached to the upper dental arch of a patient.

The partial dentures of Willits et al. uses an elastic retainer strip 28 in front of the front existing teeth of the patient, which is bonded or integrally molded with the relatively hard acrylic material. The elastic retainer strip 28 of Willits et al. greatly complicates the manufacture of the partial denture and in addition, also increases the discomfort to the user/patient. The claimed invention does not require such an elastic retainer strip (28 of Willits et al.).

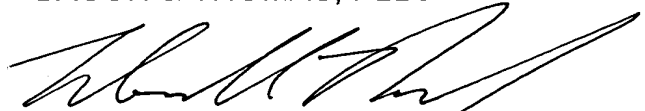
The Examiner is invited to amend claim 1, via Examiner's Amendment, to add a limitation such as, "the partial denture is free of an elastic retainer strip in front of front existing teeth of a patient" or "the partial denture is free from a retainer strip on an exposed side of a patient's teeth", in order to better distinguish the claimed subject matter over the prior art, if such amendment will place same in condition for allowance.

In summary, it is respectfully submitted that none of the prior art individually or collectively shows the invention as claimed. Accordingly, withdrawal of the rejection of the claims appears to be warranted and the same is respectfully requested. In the event there are any outstanding matters remaining in the present application which can be resolved by a telephone call or facsimile communication to Applicants' Attorney, the

Serial No.: 10/035,124
Group Art Unit: 3732
Examiner: Todd E. MANAHAN

Examiner is invited to contact the undersigned by telephone or facsimile at the numbers provided below.

Respectfully submitted,
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Serial No.: 10/035,124
Group Art Unit: 3732
Examiner: Todd E. MANAHAN

REPLACEMENT SHEET

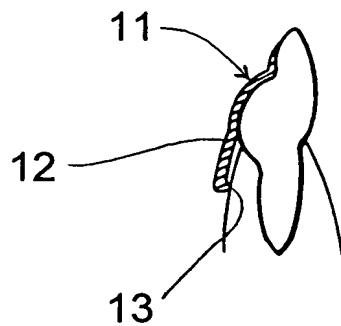


FIG. 1a

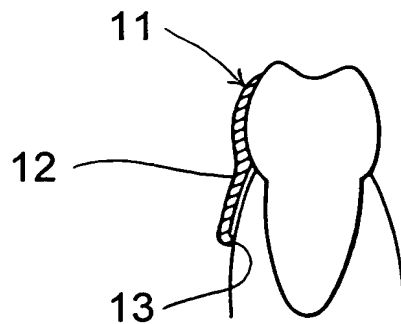


FIG. 1b